

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
CHARLESTON DIVISION**

IN RE: ETHICON, INC. PELVIC REPAIR
SYSTEMS PRODUCTS LIABILITY
LITIGATION

Master File No. 2:12-MD-02327
MDL 2327

ETHICON WAVE 10 CASES LISTED IN
EXHIBIT A TO PLAINTIFFS' NOTICE OF
ADOPTION

JOSEPH R. GOODWIN U.S. DISTRICT
JUDGE

**NOTICE OF ADOPTION OF PRIOR DAUBERT RESPONSE
REGARDING STEPHEN M. FACTOR, M.D., FOR WAVE 10**

In Wave 10, Plaintiffs have adopted their Wave 1 briefing filed against Dr. Stephen M. Factor. [Dkt. 7975] (adopting Dkt. 2015 (motion), Dkt. 2020 (memorandum), and Dkt. 2256 (reply)). In its Wave 1 ruling, the Court reserved ruling in part and denied Plaintiffs' motion in part. *In re: Ethicon Inc. Pelvic Repair Sys. Prod. Liab. Litig.*, No. 2327, 2016 WL 4944765, at *3 (S.D. W. Va. Aug. 26, 2016). For Wave 10, Defendants hereby adopt and incorporate by reference the *Daubert* response filed in relation to Stephen M. Factor, M.D., for Ethicon Wave 1, Dkt. 2135.

For the reasons stated in Defendants' Wave 1 briefing [Dkt. 2135], Plaintiffs' motion should be denied in its entirety. Alternatively, the Court should reserve ruling in part and deny Plaintiffs' motion in part as it did in Wave 1.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on this date I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

s/ William M. Gage
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